



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

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# **Candidate Bulletin**

**June 12, 2018  
Primary Elections**

**November 6, 2018  
General and Special Elections**

**Local and Constitutional Offices**

## Table of Contents

1	General Disclaimer.....	3
2	Offices for Which This Bulletin Applies .....	3
3	Qualifications To Be A Candidate.....	3
4	Required Filings .....	4
4.1	Certificate of Candidate Qualification.....	4
4.2	Primary Filing Fee .....	4
4.3	Declaration of Candidacy .....	5
4.4	Petitions of Qualified Voters.....	5
4.5	Statement of Economic Interests .....	6
4.6	Party Certification.....	7
4.7	Statement of Organization and Campaign Finance Reports .....	7
5	How to File, What to File, Where to File, and By When.....	8
5.1	How to File.....	8
5.2	For a Party Candidate Participating In a Primary Held June 12, 2018 .....	8
5.3	For a Party Candidate Nominated by a Method Other Than a Primary .....	9
5.4	For an Independent (Non-Party) Candidate .....	9
6	Notice of Withdrawal of Candidates .....	9
7	Election Calendar – June 2018 Primary and November 2018 General and Special Election.....	9

## I General Disclaimer

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations.

This Candidate Bulletin provides an overview of Virginia electoral requirements only. It does not purport to provide legal advice or binding statements of official policy. Rather, the Candidate Bulletins describe election laws found in the Code of Virginia. Applicable laws and regulations are subject to change in content and interpretation.

Candidates for local and constitutional offices should contact their local attorney for guidance and information regarding local election laws and regulations.

## 2 Offices for Which This Bulletin Applies

This bulletin applies to local and constitutional offices only. Not all offices will appear on every ballot.

The following are **local offices** covered by this bulletin:

- Mayor
- Member, Board of Supervisors
- Member, City Council
- Member, County Board
- Member, School Board<sup>1</sup>
- Member, Town Council
- Soil and Water Conservation Director
- Town Recorder
- Town Treasurer

The following are **constitutional offices**<sup>2</sup> covered by this bulletin:

- Clerk of the Circuit Court
- Commissioner of Revenue
- Commonwealth's Attorney
- Sheriff
- Treasurer

## 3 Qualifications To Be A Candidate

A candidate must meet each of the following requirements:<sup>3</sup>

1. Qualified to vote for and hold the office sought.
  - a. Resident of the city or town in which he offers for election
  - b. Registered to vote in the city or town in which he offers for election
2. A resident<sup>4</sup> of the Commonwealth for one year immediately preceding the election.

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<sup>1</sup> Va. Code [§ 22.1-57.3\(E\)](#) requires candidates for school board to be nominated only by petition as provided by Va. Code [§ 24.2-506](#)). This means that no candidate for school board may be nominated by a political party.

<sup>2</sup> Va. Const. [Art VII, § 4](#).

<sup>3</sup> Va. Code [§§ 24.2-500](#) and [24.2-501](#)

<sup>4</sup> See Va. Code [§ 24.2-101](#), definition of “residence” and VA Administrative Code [1 VAC 20-40-20](#) and [1 VAC 20-40-30](#).

## 4 Required Filings

Candidates must file certain items in order to qualify to appear on the ballot. Each item is described below along with an explanation of who is required to file.

### 4.1 Certificate of Candidate Qualification

Form: [SBE-501](#); Va. Code §§ [24.2-501](#) and [24.2-503](#)

All candidates are required to file this form to certify under oath that they meet the qualifications set out in the Code of Virginia. Candidates for local and constitutional offices must file this form with the general registrar in the candidate's locality of residence.

IMPORTANT:

- Candidates are set up in the Virginia Election and Registration System (VERIS) using this form. The candidate information provided on the Department's website is pulled directly from VERIS. To avoid delays in candidate set up and incomplete/incorrect information being posted to the website, please confirm that you have completed the form correctly and in its entirety before filing.
- You must provide a ballot name that complies with the ballot standards listed on the back of the form.
- All contact information you provide on the form will be posted on the Department's website.

### 4.2 Primary Filing Fee

Va. Code §§ [24.2-523](#) and [24.2-524](#)

Primary election candidates are required to pay a filing fee. Primary candidates for local and constitutional offices must pay the fee to the Treasurer or Director of Finance in the candidate's locality of residence. The fee must be paid prior to filing the Declaration of Candidacy and the receipt for payment must be submitted with the Declaration.

- If compensation for the office sought is paid in whole or in part by fees, the candidate's primary filing fee will be fixed by the proper committee of the respective parties.
- If no salary or fee attached to the office sought, the candidate's primary filing fee will be \$5.00.
- For all other candidates, the primary filing fee is 2% of the minimum annual salary in effect for the office sought in the year in which the candidate files.

The primary filing fee will be refunded to unopposed and disqualified candidates. The fee will also be refunded to a withdrawing candidate, but only if the candidate's written withdrawal notice is received before the party chairman files the party's Certification of Qualified Primary Candidates form.

Candidates who are nominated by a political party by a method other than a primary election may be required to pay a filing fee as well. This fee is determined by the rules of the political party. Contact your district chairman for details.

### 4.3 Declaration of Candidacy

Form: [SBE-505/520](#); Va. Code §§ [24.2-505](#), [24.2-507](#), [24.2-520](#), and [24.2-522](#)

This form is a required filing for independent (non-party) candidates and primary election candidates. This form must be filed with the Petition of Qualified Voters and Primary filing fee receipt (if required).<sup>5</sup>

- **Primary candidates** for local and constitutional offices file this form with the several committees of the respective parties.
- **Independent candidates** for local and constitutional offices file this form with their general registrar.
- Party candidates nominated by a non-primary method are not required to submit a declaration unless required by their party to do so.

### 4.4 Petitions of Qualified Voters

Form: [SBE-506/521](#); Va. Code §§ [24.2-506](#), [24.2-507](#), [24.2-521](#), and [24.2-522](#); Va. Administrative Code [1VAC20-50-20](#) and [1 VAC20-50-30](#)

IMPORTANT: The petition is a two-sided form (one page, front and back), and comes in two sizes: legal and letter. The petition's pages on which signatures are obtained must be originally printed two-sided (one page, front and back) to be considered valid.

Any petition that is printed on two separate pieces of paper or copied front and back from two separate pieces of paper will be rendered invalid and none of its signatures will be counted.

Independent (non-party) candidates and primary election candidates are required to file these forms.

Independent candidates for local and constitutional offices must file petitions with the general registrar in the candidate's locality of residence. Primary election candidates must file the form with their party chairman.

- For a constitutional office, 125 signatures.
- A candidate for membership on the governing body or elected school board of any **county or city** must collect at least 125 signatures; or if from an **election district not at large** containing 1,000 or fewer registered voters, 50 signatures.
- A candidate for membership on the governing body or elected school board of any **town that has more than 3,500 registered voters** must collect at least 125 signatures; or if from a **ward or other district not at large**, 25 signatures.
- A candidate for membership on the governing body or elected school board of any **town that has at least 1,500 but not more than 3,500 registered voters** must collect at least 50 signatures; or if from a **ward or other district not at large**, 25 signatures.
- A candidate for membership on the governing body or elected school board of any **town that has fewer than 1,500 registered voters**, no petition shall be required.

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<sup>5</sup> Va. Code § [24.2-505](#).

- A candidate for director of a soil and water conservation district created pursuant to Article 3 of Chapter 5 of Title 10.1 must collect at least 25 signatures.
- All other candidates must collect 50 signatures.
- ❖ Please review the State Board of Election's regulations regarding material omissions from qualified voters on petitions (Va. Administrative Code [1 VAC20-50-20](#)) before circulating petitions.
- ❖ Local charters may have additional/different requirements. Please contact the local attorney for guidance and more information.

General election candidates may begin circulating petitions for signatures on Tuesday, January 2, 2018. Any signatures obtained before this date will be rendered invalid and not counted. General election candidates may file completed petitions between January 2, 2018 and 7:00 pm, Tuesday, June 12, 2018.

Special election candidates may begin circulating petitions for signatures when the writ or order calling the election is issued, unless specified differently in the writ or order. Any signatures obtained before this date will be rendered invalid and not counted. Special election candidates may file completed petitions between January 2, 2018 and 5:00 pm, Friday, August 17, 2018, unless specified differently in the writ or order.

Primary election candidates may begin circulating petitions for signatures on Tuesday, January 2, 2018. Any signatures obtained before this date will be rendered invalid and not counted. Primary election candidates may not begin filing completed petition pages until 12:00 pm on Monday, March 12, 2018. All petition pages must be filed by 5:00 pm on Thursday, March 29, 2018.

Candidates do not have to wait until they have obtained the required number of signatures to file completed petition pages. Candidates may make multiple filings. The candidate's Declaration of Candidacy form must be filed with the first filed petition pages. Primary election candidates must also file their Primary Filing Fee Receipt with the first filed petition pages.

A candidate, other than a party nominee, may appeal a determination by the electoral board that the candidate's petitions do not contain the minimum number of signatures of qualified voters for the office sought. Candidates have five days from the issuance of the disqualification notice to file their appeal with the determining body.

Appeals are conducted by the determining body in accordance with regulations set forth by the State Board of Elections. Consideration on appeal is "limited to whether or not the signatures on the petitions that were filed were reasonably rejected according to the requirements of [Title 24.2 of the Code of Virginia and regulations for petitions set forth by the State Board of Elections]. The candidate bears the burden of proof in establishing that a sufficient number of signatures from qualified voters were timely provided." All appeals are final and not subject to further appeal.

## 4.5 Statement of Economic Interests

Form: [SOEI](#); Va. Code §§ [24.2-502](#) and [24.2-503](#)

Constitutional candidates are required to file a Statement of Economic Interests (SOEI) with their local general registrar.<sup>6</sup>

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<sup>6</sup> Va. Code § [24.2-502](#).

Candidates for local offices in any county, city, or town with a population in excess of 3,500 are required to file this form with the general registrar in the candidate's locality of residence.

The form can be obtained from the general registrar or the [Candidate Forms](#) page on the Department of Elections website.

For help with completing the form, please contact the [Virginia Conflict of Interest and Ethics Advisory Council](#); [ethics@dls.virginia.gov](mailto:ethics@dls.virginia.gov), 804-698-1848, 900 East Main Street, 8th Floor, Richmond, Virginia 23219.

The Virginia State and Local Government Conflict of Interest Act (COIA) requires general registrars to notify all candidates of the provisions of COIA, found in [Chapter 31 of Title 2.2 of the Code of Virginia](#), Va. Code §§ 2.2-3100 through 2.2-3131. COIA regulates the conduct of Virginia public officials in two basic ways: (1) disclosure requirements for reporting certain types of economic relationships on the Statement of Economic Interests form (SOEI); and (2) prohibitions against certain conduct or participation in certain transactions. Please see the COIA Council's [website](#), for more information.

## 4.6 Party Certification

Form: [SBE-511](#); Va. Code §§ [24.2-510](#) and [24.2-511](#)

Party chairs are required to file the "Certification of Candidate Nominated by a Political Party" form for candidates nominated by a non-primary method. It is submitted in place of the Declaration of Candidacy and Petition of Qualified Voters. Party Certification for local and constitutional offices must be filed with the Department and the general registrar(s) in the locality(ies) in which the candidate will appear on the ballot.

## 4.7 Statement of Organization and Campaign Finance Reports

Forms: [CFDA-947.1](#) and [Campaign Finance Reports](#); Va. Code Title 24.2 Ch. 9.3, [Art. 3](#) (§§ 24.2-947 through 24.2-948.4)

While the Statement of Organization is not required to qualify for the ballot, it is required to be filed by anyone seeking or campaigning for an elected office who meets the conditions outlined in Code. The failure to file the Statement of Organization is not cause for disqualification but will subject a candidate to penalties imposed by the Campaign Finance Disclosure Act (CFDA).<sup>7</sup> Candidates for local and constitutional offices must file the Statement of Organization with the general registrar in the candidate's locality of residence and the Department of Elections if the candidate committee will be filing electronically.

Subject to certain exemptions, candidates for local and constitutional offices in Virginia must file campaign finance reports on a schedule determined at the time they submit their Statement of Organization. These reports are filed electronically with the Department of Elections through [Committee Electronic Tracking](#) (COMET) or by paper with the general registrar in the candidate's locality of residence. The CFDA also imposes certain requirements relating to identification of campaign advertisements and communications. Please see the [Candidate Campaign Committee Summary](#) published by the Department of Elections for specific requirements.

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<sup>7</sup> Va. Code § [24.2-953.1](#).

## 5 How to File, What to File, Where to File, and By When

### 5.1 How to File

- Department of Elections:
  - In-Person: Washington Bldg., 1100 Bank St., 1st Fl., Richmond, VA 23219
  - Mail: Dept. of Elections, Attn: Candidate Filings, 1100 Bank St., 1st Fl., Richmond, VA 23219
  - Fax: 804-371-0194; Attn: Candidate Filings
  - Email: [EA@Elections.Virginia.gov](mailto:EA@Elections.Virginia.gov); Subject: Candidate Filings for [name], [office sought]
- Contact information for filing with your general registrar can be found on the [Local Voter Registration Office](#) search page on the Department's website.
- Please contact your party chairman for their contact information for filing.
- ❖ Forms with social security numbers may not be emailed due to containing confidential information. Any form with a social security number submitted through email will not be accepted.
- ❖ Original completed petitions must be submitted. Petitions submitted through fax or email will not be accepted. Copies of signatures will be rendered invalid and not counted.

The Certificate of Candidate Qualification and the Statement of Economic Interests may be considered timely filed if mailed postage prepaid to the appropriate location by registered or certified mail. The mailing receipt must be made available for review upon request to show the document was mailed by the deadline. All other forms must be received by the deadline to be considered timely filed.

### 5.2 For a Party Candidate Participating In a Primary Held June 12, 2018

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadline
Certificate of Candidate Qualification (SBE-501)	General registrar in the locality of residence	Thursday, March 29, 2018; 5:00 pm
Statement of Economic Interests (SOEI)		
Primary Filing Fee	Treasurer or Director of Finance in the locality of residence	
Declaration of Candidacy (SBE-505/520)	Appropriate political party chairman	Thursday, March 29, 2018; 5:00 pm
Petitions of Qualified Voters (SBE-506/521)		Filing Start Date: Monday, March 12, 2018; 12:00 pm
Primary Filing Fee Receipt		
Statement of Organization (CFDA-947.1)	<ul style="list-style-type: none"><li>• General registrar in the locality of residence</li><li>• Department of Elections (ONLY if filing electronically).</li></ul>	Within 10 days of meeting any one of the conditions listed in <a href="#">§ 24.2-947.1.A</a>



### 5.3 For a Party Candidate Nominated by a Method Other Than a Primary

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadline	
		General Election	Special Election <sup>8</sup>
Certificate of Candidate Qualification (SBE-501)	General registrar in the locality of residence	Tuesday, June 12, 2018; 7:00 pm	<ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 12, 2018; 7:00 pm</li> </ul>
Statement of Economic Interests (SOEI)			
Party Certification (SBE-511)	Department of Elections General registrar(s) in the locality(ies) of ballot appearance	Monday, June 18, 2018  Filing Start Date: Thursday, April 26, 2018	<ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 12, 2018; 7:00 pm</li> </ul>
Statement of Organization (CFDA-947.1)	<ul style="list-style-type: none"> <li>General registrar in the locality of residence</li> <li>Department of Elections (ONLY if filing electronically).</li> </ul>	Within 10 days of meeting any one of the conditions listed in <a href="#">§ 24.2-947.1.A</a>	Within 10 days of meeting any one of the conditions listed in <a href="#">§ 24.2-947.1.A</a>

### 5.4 For an Independent (Non-Party) Candidate

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadline	
		General Election	Special Election <sup>9</sup>
Certificate of Candidate Qualification (SBE-501)	General registrar in the locality of residence	Tuesday, June 12, 2018; 7:00 pm	<ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 12, 2018; 7:00 pm</li> </ul>
Statement of Economic Interests (SOEI)			
Declaration of Candidacy (SBE-505/520)			
Petitions of Qualified Voters (SBE-506/521)			
Statement of Organization (CFDA-947.1)	<ul style="list-style-type: none"> <li>General registrar in the locality of residence</li> <li>Department of Elections (ONLY if filing electronically).</li> </ul>	Within 10 days of meeting any one of the conditions listed in <a href="#">§ 24.2-947.1.A</a>	Within 10 days of meeting any one of the conditions listed in <a href="#">§ 24.2-947.1.A</a>

## 6 Notice of Withdrawal of Candidates

Form: [ELECT-612.2](#); Va. Code [§ 24.2-612.2](#)

A candidate who has qualified to have his name printed on the ballot for an election shall not be deemed to have withdrawn from such election until a Candidate Withdrawal Form has been filed with the general registrar in the candidate's locality of residence. The recipient general registrar shall notify the general registrars in other localities and/or the Department as appropriate.

<sup>8</sup> Unless writ or order specifies otherwise.

<sup>9</sup> Unless writ or order specifies otherwise.



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## 7 Election Calendar – June 2018 Primary and November 2018 General and Special Election

Election Type; Date	Deadlines for Filing		
	Candidate Declarations/Petitions	Other Candidate Forms	Party Chairs Certify Candidates
Primary June 12 § 24.2-515	March 12; 12:00 pm through March 29; 5:00 pm § 24.2-522	March 29; 5:00 pm § 24.2-503	April 3 § 24.2-527
General November 6 § 24.2-101	Non-Party Candidates June 12; 7:00 pm § 24.2-507	All Candidates June 12; 7:00 pm § 24.2-503	June 18 § 24.2-511(B)
Special November 6 § 24.2-682	Non-Party Candidates <ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 12; 7:00 pm</li> </ul> § 24.2-507	All Candidates <ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 12; 7:00 pm</li> </ul> § 24.2-503	<ul style="list-style-type: none"> <li>1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>2<sup>nd</sup> November election after vacancy: Tuesday, June 18; 5:00 pm</li> </ul> § 24.2-511(B)
<ul style="list-style-type: none"> <li>During any election, the polls are required to open at 6:00 a.m. and close at 7:00 pm (§ 24.2-603)</li> <li>Party chairs must notify the Department of Elections of adoption of direct primary. Notifications must be filed between February 7 and February 27. (§ 24.2-516)</li> <li>General election party nominations must be made between April 26, 2018 and June 12, 2018; 7:00 pm (§ 24.2-510)</li> </ul>			